

REMARKS

Claims 1 through 20 remain pending. Claims 4, 5 and 8 through 20 have been withdrawn from consideration. Claims 1, 2, 6 and 7 stand under rejection. Claim 3 stands under objection solely for its dependency from a rejected claim. In response to the Office Action, dated November 6, 2002, claim 1 has been amended and a request for approval of the additions of the label "Prior Art" to Figs. 15A-16B is submitted herewith. Care has been taken to avoid the introduction of new matter. A petition for a one month extension of the period for response, with appropriate fee charge authorization, accompanies this response. Favorable reconsideration of the application as now amended is respectfully solicited.

Objection has been made to Figs. 15A-16B of the drawings as these figures do not contain prior art legends. Request for approval of amendment of these figures to add those legends is made herein. The objection therefore should now be overcome.

Claims 1, 6 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the disclosed prior art (identified as AAPA) in view of U.S. patent 6,445,475 (Okubora). The rejection is set forth at pages 2 and 3 of the Office Action. Claim 2 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Okubora and U.S. patent 5,337,396 (Chen), as set forth at page 3 and 4 of the Office Action.

Claim 1, the only independent claim, has been amended and requires, *inter alia*, the following:

a first support member mounted on said mounting member, said first support member supporting said optical element assembly; and

a second support member mounted on said mounting member, said first support member supporting said circuit board so as to be spaced apart from said mounting member.

The Office Action states that Okubora discloses means (40) for supporting said circuit board so as to be spaced apart from said mounting member, referring to Fig. 12.

Okubora describes partition plate 40 in line 65 of column 8 to line 11 of column 9 as follows:

In addition, FIG. 12 shows a third preferred embodiment, wherein it is constituted such that a metallic partition plate 40 is arranged within the casing 15, the transmission circuit board 12 and the receiving circuit board 14 of the rigid/flexible board 7 are partitioned and spaced apart by this metallic partition plate 40 and others are similarly constituted in the same manner as that of the first preferred embodiment shown in FIG. 3. The metallic partition plate 40 is integrally formed with at least one of side surfaces, a bottom surface and a top surface of the casing 15. It is possible to prevent deterioration in cross-talk between the channels caused by the spatial electromagnetic interference or deterioration of a C/N ratio, and further it is also possible to radiate heat as a thermal radiating plate (emphasis supplied).

As can be understood from the underlined portions, metallic partition plate 40 does not support the transmission circuit board 12 and the receiving circuit board 14, but is provided to shield the transmission circuit board 12 and the receiving circuit board 14 from each other. Therefore, the Okubora reference does not disclose an optical module comprising "a first support member" and "a second support member."

In summary, neither the disclosed prior art of Fig. 15A of the present application nor Okubora teaches an optical data link comprising "a first support member" and "a second support member" as in the amended claim 1. The Chen patent, which was cited for disclosing an optical module having an electrically conductive cover, also lacks these claimed features.

Accordingly, it is submitted that independent claim 1, as well as dependent claims 1, 2, 6 and 7, are patentably distinguishable over the applied prior art. Allowance of the application is respectfully solicited.